

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNIVERSITAS EDUCATION, LLC,

Petitioner,

No. 11 Civ. 1590 (LTS)(HBP)

-v-

NOVA GROUP, INC.,

Respondent.

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NOVA GROUP, INC.,

Petitioner,

No. 11 Civ. 8726 (LTS)(HBP)

-v-

UNIVERSITAS EDUCATION, LLC,

Respondent.

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**NOTICE OF ATTORNEYS' CHARGING LIEN**

PLEASE TAKE NOTICE that the law firm of Smith, Gambrell & Russell, LLP ("the Firm"), represented Boston Property Exchange Transfer Company, Inc. ("BPETCO") in a civil action in the Connecticut Superior Court, Judicial District of Hartford, styled *BPETCO v. Merrill Lynch, Pierce, Fenner & Smith, Inc., et al*, Case No. HHD-CV11-6026660-S (the "ML Action"), and hereby files this Notice of Attorneys' Charging Lien. BPETCO retained the Firm to perform legal services on a contingent fee basis of 20 percent of BPETCO's recovery from the ML Action. The Firm performed legal services for BPETCO in the ML Action from September 9, 2011 through November 5, 2012, and a charging lien attached as a matter of law to the proceeds from any settlement in favor of BPETCO in whatever hands they may come. The law firm of

Pastore & Dailey LLP substituted in the place and stead of the Firm as counsel for BPETCO in the ML Action on or about November 19, 2012. Thus, pursuant to New York Judiciary Law § 475 and Connecticut common law, the Firm hereby asserts and notifies all interested parties of its charging lien for legal services rendered in the ML Action (valued at \$235,010.50 at the Firm's standard hourly rates), plus costs in the amount of \$9.55, against the proceeds of any settlement in favor of BPETCO arising out of or as a result of the ML Action.

Any settlement funds received by or on behalf of BPETCO in the ML Action should be disbursed first to satisfy amounts owed to the Firm for legal services rendered in said action.

Dated: New York, New York  
August 27, 2014

**SMITH, GAMBRELL & RUSSELL, LLP**

By:   
John G. McCarthy

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New York, New York 10019  
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**CERTIFICATE OF SERVICE**

I, John G. McCarthy, certify as follows:


On August 27, 2014, a true and correct copy of the forgoing **Notice of Attorneys' Charging Lien** was filed electronically. Notice of this filing will be sent by e-mail to the parties by operation of the Court's electronic filing system as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

Further, a true and correct copy of this filing will be sent to the non-party listed below via e-mail and first class mail:

Joseph M. Pastore III, Esq.  
Pastore & Dailey LLC  
4 High Ridge Park, Third Floor  
Stamford, Connecticut 06905  
jpastore@psdlaw.net  
*Attorneys for Boston Property Exchange  
Transfer Company, Inc.*

Pursuant to 28 U.S.C. § 1746, I hereby certify under penalty of perjury that the foregoing statements are true and correct.

Executed on August 27, 2014.



John G. McCarthy